

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/30/2020</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
VALENTINA VELEVA, on behalf of others	:	
similarly situated	:	
	:	
Plaintiff,	:	
	:	19-CV-10078 (VEC)
-against-	:	
	:	
	:	<u>ORDER</u>
	:	
TAMBURI TRATTORIA LTD and FABIO	:	
CAMARDION,	:	
	:	
	:	
Defendants.	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on October 30, 2019, Plaintiff filed the initial complaint in this lawsuit, *see* Dkt. 1;

WHEREAS on February 28, 2020, the Court ordered Plaintiff to apply for a certificate of default against Defendants no later than March 27, 2020, *see* Dkt 12;

WHEREAS on March 2, 2020, Plaintiff filed an Amended Complaint without the Court's leave, *see* Dkt. 14;

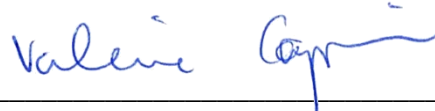
IT IS HEREBY ORDERED that:

1. Plaintiff's amended complaint is DISMISSED as untimely. Under Federal Rule of Civil Procedure 15(a)(1)(A), a party may amend its pleading "once as a matter of course within 21 days after serving it." Plaintiff's amended complaint was filed on March 2, 2020; seventy-four days after service of the original complaint. *See* Dkts. 9, 10, 14,

2. No later than **April 15, 2020**, Plaintiff must show cause why this case should not be dismissed with prejudice for failure to adhere to the Court's orders and failure to prosecute under Fed. R. Civ. P. 41(b).

SO ORDERED.

Date: March 30, 2020
New York, NY



VALERIE CAPRONI
United States District Judge